

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Salvatore J. Sowell,

Plaintiff,

Case No. 2:24-cv-3731

v.

Judge Michael H. Watson

State of Ohio,

Magistrate Judge Gentry

Defendant.

ORDER

Salvatore J. Sowell (“Plaintiff”) filed this prisoner civil rights case pro se. Compl., ECF No. 1. The Magistrate Judge performed an initial screen of the case pursuant to 28 U.S.C. § 1915A and entered a deficiency order because Plaintiff had neither paid the filing fee nor requested leave to proceed in forma pauperis. Deficiency Order, ECF No. 7. The Magistrate Judge directed Plaintiff to either pay the filing fee or move for leave to proceed in forma pauperis within thirty days, warning that failure to do either would result in the Court dismissing Plaintiff’s case for failure to prosecute. *Id.*

Plaintiff failed to pay the filing fee or move for leave to proceed in forma pauperis. Thus, the Magistrate Judge issued a Report and Recommendation (“R&R”) recommending the Court dismiss the case for failure to prosecute. R&R, ECF No. 12. The R&R notified Plaintiff of his right to object to the recommendation and warned that a failure to object would forfeit appellate rights. *Id.*

Plaintiff failed to file timely objections. Accordingly, the Court **ADOPTS** the R&R and **DISMISSES WITHOUT PREJUDICE** this case under Federal Rule of Civil Procedure 41(b) for failure to prosecute.

IT IS SO ORDERED.



Michael H. Watson
MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT